

April 28, 2020

**BY ECF**

The Honorable Alison J. Nathan  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2102  
New York, NY 10007  
Email: NathanNYSDCChambers@nysd.uscourts.gov

Re: *United States ex rel. Lacey v. Visiting Nurse Service of New York*  
(No. 14-cv-5739)

Dear Judge Nathan:

The parties in the above-captioned matter jointly write to update the Court. Since our last update, Relator Lacey and VNSNY have executed a settlement agreement in this matter, conditioned on approval by the New York State Attorney General and Department of Justice. We understand from the respective government attorneys that the agreement is under review by their offices. While they have not provided a date certain by which that review will be complete, the parties are hopeful that it will be resolved in the next thirty days.

The terms of the parties' negotiated agreement provide that VNSNY will pay the settlement amount in installments, with an initial payment to be made on or before June 15, 2020. The Notice of Dismissal and Proposed Order will be filed within two business days of this payment.

Accordingly, the parties respectfully request that the Court extend the date by which the parties may re-file the same summary judgment and *Daubert* motions and briefing without SO revision from May 1, 2020 to June 19, 2020 to secure government consent, for VNSNY to effectuate payment, and for Relator to file the Notice of Dismissal and Proposed Order. ORDERED.

Respectfully submitted,

CONSTANTINE CANNON LLP

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5/1/20

SO ORDERED.  
ALISON J. NATHAN, U.S.D.J.